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Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

VINCENT PORTER,

Defendant.

CASE NO. 1:22-CR-00113-JLT-SKO

JOINT STATUS REPORT AND STIPULATION
REGARDING EXCLUDABLE TIME PERIODS
UNDER SPEEDY TRIAL ACT; ORDER

DATE: August 30, 2023
TIME: 1:00 p.m.
COURT: Hon. Sheila K. Oberto

This case is set for status conference August 30, 2023. As set forth below, the parties now move, by stipulation, to continue the status conference to December 6, 2023, and to exclude the time period between August 30, 2023 and December 6, 2023 under the Speedy Trial Act.

STIPULATION

Plaintiff United States of America, by and through its counsel of record, and defendant, by and through defendant's counsel of record, hereby stipulate as follows:

1. By previous order, this matter was set for status on August 30, 2023.
2. By this stipulation, defendant now moves to continue the status conference until December 6, 2023, and to exclude time between August 30, 2023 and December 6, 2023 under Local Code T4.
3. The parties agree and stipulate, and request that the Court find the following:
 - a) The government has represented that the discovery associated with this case is

1 voluminous and includes many thousands of pages of documents, financial records, witness
2 interviews, investigative reports, and other evidence. This is a large scale financial fraud case.
3 All of this discovery has been either produced directly to counsel and/or made available for
4 inspection and copying.

5 b) Counsel for defendant desires additional time to consult with his/her client,
6 review the charges, conduct investigation and research, review discovery and discuss potential
7 resolution of the case. The COVID-19 Pandemic continues to make certain tasks, such as client
8 meetings, and certain aspects of case investigation more difficult and more time consuming.

9 c) Counsel for defendant believes that failure to grant the above-requested
10 continuance would deny him/her the reasonable time necessary for effective preparation, taking
11 into account the exercise of due diligence.

12 d) The government does not object to the continuance.

13 e) Based on the above-stated findings, the ends of justice served by continuing the
14 case as requested outweigh the interest of the public and the defendant in a trial within the
15 original date prescribed by the Speedy Trial Act.

16 f) For the purpose of computing time under the Speedy Trial Act, 18 U.S.C. § 3161,
17 et seq., within which trial must commence, the time period of August 30, 2023 to December 6,
18 2023, inclusive, is deemed excludable pursuant to 18 U.S.C. § 3161(h)(7)(A), B(iv) [Local Code
19 T4] because it results from a continuance granted by the Court at defendant's request on the basis
20 of the Court's finding that the ends of justice served by taking such action outweigh the best
21 interest of the public and the defendant in a speedy trial.

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28 4. Nothing in this stipulation and order shall preclude a finding that other provisions of the

Speedy Trial Act dictate that additional time periods are excludable from the period within which a trial must commence.

IT IS SO STIPULATED.

Dated: August 20, 2023

PHILLIP A. TALBERT
United States Attorney

/s/ JEFFREY A. SPIVAK
JEFFREY A. SPIVAK
Assistant United States Attorney

Dated: August 20, 2023

HEATHER E. WILLIAMS
Federal Defender

/s/ Christina Corcoran
Christina Corcoran
Assistant Federal Defender
Counsel for Defendant

ORDER

The parties shall be prepared to select a mutually agreeable trial date at the next status conference.

IT IS SO ORDERED.

DATED: 8/25/2023

Sheila K. Oberto
THE HONORABLE SHEILA K. OBERTO
UNITED STATES DISTRICT JUDGE